

# Migrant Workers



## READ TO DISCOVER

- What challenges do people face when migrating for work?
- Why do migrants risk their health and safety to find work in a new country?
- What is the responsibility of the international community to protect migrant workers?

## STATEMENT OF THE PROBLEM

Every year, many people around the world leave their homes to move to a new country. Most of these people move to find work. They hope to leave behind unemployment and poverty in their home countries to find jobs, higher wages, and better living conditions in a foreign country. These people, or **migrant workers**, settle in nations where they might not speak the language, understand the culture, practice the same religion or know anyone else. Despite these difficulties, millions of people each year find the opportunity for a better life to be a good reason to migrate.

### Terms & Concepts

**Migrant worker:** a person who moves to a foreign country to find paid labor

Migration can have a very positive effect on the economy in all countries because it gives jobs to people that need them and fills jobs where they are empty. The benefits of migration, however, are also associated with many risks that come with being a migrant worker. Migrant workers are often not protected by the laws in their new country, and their rights are often not secured.



Migrant workers in China.  
Source: US State Department<sup>i</sup>

Nearly all countries around the world play a role, either sending or receiving migrants. Even though countries benefit from migrant workers, most do not take action to make it easier or safer for people to migrate for work. As of today, the international community and the UN have not been able to address challenges related to migrant workers.

## HISTORY OF THE ISSUE

Migration is not a new trend. For centuries, people have moved together in search of new land or a new climate. They were driven by the idea that a change in location could lead to a better life.

In the early 1900's, people began to move in greater numbers. Initially, migration occurred between countries that shared borders, as it was easy to travel over land to a nearby country. In the last 150



## Terms & Concepts

**Rural:** an area in the country with a small population

years, however, cities grew quickly and modes of transportation dramatically improved. These developments made migration easier. People flocked to cities to find more stable, better paying jobs than **rural** areas offered. Few laws controlled migration in the early 20<sup>th</sup> century so people did not have to worry about whether their migration was legal or not.

### RISKS OF BEING A MIGRANT

There have always been risks associated with being a migrant. From the time they arrive, many migrants face unkind treatment from the local population. Some migrants are harassed by residents who are worried about losing their jobs to foreign workers.

In addition, it is hard for many new arrivals to find work or housing. In the 19<sup>th</sup> and 20<sup>th</sup> centuries, cities quickly became over-crowded and could not provide for all the people living there. The city governments, and the nations in which they were located, began to worry about the effect of the growing migrant population. This caused some countries to put laws in place to control immigration. At the same time, many locals started to show stronger anti-migrant feelings. These issues are at the root of the problems that migrants face in the present day.

#### Migration, Emigration, Immigration

**Migrate:** the root of both *immigrate* and *emigrate*, it means to move from place to place

**Emigrate:** the act of leaving one's homeland to settle in another

EX: Joe *emigrated* from his country to flee a war and find education.

**Immigrate:** the act of coming to a new homeland

EX: Many countries control how many people *immigrate into* their nation.<sup>1</sup>

### DISCUSSION OF THE PROBLEM

The trend of migrating for work continues today. Many migrants face disappointment when they arrive at their destination because they expect it to be easier to make a good life than it would have been in their own country. It usually is not easy at all. In addition, many nations do not treat migrant workers the same way as they treat citizens of the country.

People also face new challenges when migrating for work. Traveling from one's home country has become increasingly dangerous because borders are more regulated. At the same time, technology, such as telephones and the internet, has changed how people learn about work opportunities and new transportation systems make travel more accessible.

### PUSH AND PULL FACTORS

Before choosing to move to a foreign country, migrant workers face a variety of strong push and pull factors. The push factors, or *reasons to leave the home country*, include lack of jobs, poverty, or the inability to support a family. Many migrants do not *want* to leave home, but with no jobs available,

<sup>1</sup> Merriam Webster Online. <<http://www.merriam-webster.com>>.

they *have* to leave in order to survive.

The pull factors, or *reasons to move to another country*, include a possibility of higher wages and hope for better living conditions. Also, there is a strong demand for cheap labor in developed countries because few locals are willing to work as farmers, maids, or factory workers. Migrants are willing to accept these jobs because low wages are much better than unemployment at home.

#### Migration Results from PUSH and PULL Factors...



Push

- Poverty
- Ethnic/Political/ Religious Persecution
- Political Unrest

Pull

- Job Opportunities
- Political/Religious Freedom
- Start a New Life



Photo Source: Detroit Photography Co.<sup>ii</sup>

## SENDING MONEY HOME

Once they start earning wages in another country, migrants can send money back to their families at home in the form of **remittances**. This practice helps the *home* country's economy because the worker's family has more money. The *host* country's economy also benefits because migrant workers contribute to the labor force by doing jobs that need to be done.

These factors are enough to make migration seem like the best, if not, only, option to achieve better quality of life for some. Migrant workers, however, face many challenges at all stages of their journey to a new country.

## PRE-DEPARTURE ISSUES

### Recruitment

Before leaving their home country, many migrants use **recruitment agencies** to find job placements abroad and secure **work visas**. These agencies can be very useful to find a job for a migrant before they even leave their home country.

*Illegal* recruitment agencies, however, abuse some workers by leading them on about jobs abroad and then forcing them to sign contracts they often don't understand or don't get to read. Once in the foreign country, workers may owe the recruitment agencies **debt** money for their plane ticket, but

### Terms & Concepts

**Remittances:** money earned by a migrant worker that s/he sends to the home country

**Recruitment agency:** a company that finds workers jobs overseas

**Work visa:** document that allows legal entry into another country to work

**Debt:** amount of money owed to a person or organization

do not receive the job or the work documents they were promised.<sup>2</sup> Stuck in a new country with illegal status, a huge debt and no job, many have to turn to illegal and dangerous work.

## Human Rights Awareness

Home countries often do not educate their citizens about strategies for migration. Rarely do countries alert their citizens of the documents needed to migrate legally or of the linguistic, cultural, social and legal differences in destination countries.

Many countries may feel it is not their responsibility to help the citizens who wish to leave, even though the home country's economy benefits from the remittances of its workers. The money migrant workers send home helps families to spend money in their country that otherwise would not have been available. This makes the home country's economy grow. Also, when a country's citizens go to work abroad, they no longer are a strain on the home country's few resources.

Despite benefits to the home countries of migrant workers, they often do not take responsibility for the health and safety of their citizens living abroad. Both legal *and* illegal workers suffer from this lack of knowledge about their basic rights as an immigrant in another country. In the *Universal Declaration of Human Rights*, all human beings are considered "free and equal in dignity and rights."<sup>3</sup> People migrate with no awareness of the basic rights in certain countries.

### Universal Declaration of Human Rights

The Universal Declaration of Human Rights (UDHR) is an important document in the history of human rights. Accepted by the General Assembly in December 1948, this document lays out, for the first time in history, the basic rights and freedoms of every person in the world. It says that race, age, sex, religion, and language should not matter. The UDHR is accepted by most countries in the world as the standard for human rights, though some countries have been reluctant to recognize it.

## ISSUES IN TRANSIT

Migrant workers often face serious danger when travelling to look for work. Travelling abroad can be dangerous whether one migrates legally or illegally, but illegal migrants tend to face the most risks when trying to reach their destination.

First, it is important to understand why migrants *choose* to travel illegally even though there are risks involved. In many poor nations, jobs simply *do not exist*, even for those willing and able to enter the workforce. In Mexico, for example, there is one job for every ten people looking to enter the workforce.<sup>4</sup> Under these circumstances, people must leave their home to find work.

<sup>2</sup> "Recommended Guidelines for Migrant Recruitment Policy and Practice in the Greater Mekong Sub-Region." International Labor Organization. <<http://www.ilo.org/public/english/region/asro/bangkok/child/trafficking/downloads/guidelines-recruitment.pdf>>.

<sup>3</sup> UN General Assembly. *Universal Declaration of Human Rights*, Resolution 217 A(III), Articles 4 and 5. 10 Dec. 1948. <<http://www.un.org/en/documents/udhr/>>.

<sup>4</sup> Zurlo, Luanne. "Addressing a Root Cause of Mexican Migration Pressures to the U.S." World Education and Development Fund. <<http://www.worldfund.org/assets/files/WEDFBP11006.pdf>>.



Migrating illegally is a choice with consequences, but migrants are often desperate. They need money to survive, but are unable to get a job in their home country. When they emigrate to find work, migrant workers face a difficult process to get legal work status because many countries have strict immigration laws. These strict countries, however, also tend to have jobs in unskilled, low-paying sectors. Often, their citizens are unwilling to take these jobs. So, with a home country lacking jobs and a host country seeking workers, migrants have an incentive to migrate illegally.

### Terms & Concepts

**Human traffickers:**  
people who illegally  
bring others across  
international borders

Illegal migrant workers are a target for abuse during travel. They may feel they have to accept any mode of transport no matter how dangerous or unhealthy. Oftentimes migrants are kidnapped along a border by **human traffickers**. Without the paperwork to get a legal job, these migrants are forced to work underground jobs, such as drug trading.

Many migrants actually allow traffickers to take advantage of them because they believe that it is the only way to travel across a border. Some migrants think that because they are illegal workers, they are not owed any rights at all. Even when facing extreme danger during their journey, migrants often do not ask for help because they are scared of being arrested or sent home. Since they do not speak up, traffickers can treat migrants like property, not like humans. Illegal migrant workers often do not expect such freedoms and so they do not get them.

## ISSUES IN THE HOST COUNTRY

Once in their destination country, migrant workers face a variety of issues. When they arrive, workers are expected to accept legal and social systems to fit in. Governments require migrant workers to take certain steps to fill out forms or show specific documents, such as a birth certificate or a letter of employment. Without these papers in order, they cannot live legally in their new country. Similarly, migrant workers are sometimes expected to blend in to their new surroundings by learning the local language and customs. These legal and social systems, however, are often flawed. The systems set standards that can be impossible for migrant workers to meet.



Work visas issued by France are hard to obtain.  
Source: Wikimedia Commons<sup>iii</sup>

### Social Problems

In the host country, migrant workers can be confronted with various social issues. Oftentimes, local people expect workers to immediately learn the host language and adapt. When this does not

happen, locals treat the migrants as outsiders. Migrant workers who do not blend in are often associated with illegality and criminal activity.

The local population sometimes does not recognize the value of the work done by foreigners, so they are **xenophobic** towards migrants. Locals can be protective of their home and hostile towards outsiders. This makes it hard for migrant workers to truly become equal members of society.

### Legal Problems

Many countries have a legal system to regulate the settlement of migrant workers. Some countries rely on **detention centers** to enforce lawful immigration. Upon arrival, many workers are held in detention centers while **immigration authorities** process their documents. Ideally, these centers are useful to stop illegal immigration or to prevent immigrants with criminal backgrounds from entering the country.

In many detention centers, migrants are unaware of why they are stopped. Even legal migrants are often not given the right to due process, which is their right to go to court and argue their case. They are usually captive for long periods of time, from three months to several years, in overcrowded and unsanitary facilities, similar to prison. In the UDHR, no one should be held captive for unclear or random reasons, but detention centers often treat migrants poorly and could benefit from reform.<sup>5</sup>

#### Terms & Concepts

**Xenophobia:** scared of foreigners

**Detention center:** where immigrants are held in a foreign country to process their papers

**Immigration authority:** a person who monitors migrants entering the country

### Worker's Rights

Once a migrant actually makes it to work, the legal system in a country requires them to have certain paperwork. Without legal work status, migrant workers are not protected by national labor law. These laws define the legal rights of working people. Illegal migrants have to work in unregulated sectors because it is the only way to avoid the police or immigration authorities. They have no protection from the dangers of their job, such as long work hours, terrible working and living conditions, injuries, or very low wages.

A country does not owe an illegal migrant the rights protected under national labor law because of their unlawful status. They are, however, still owed their basic human rights as human beings, such as the right to safe and decent work conditions.<sup>6</sup> Many countries pretend not to notice when illegal migrant workers work in terrible conditions. These nations believe that without the correct paperwork, migrant workers are not entitled to certain protection.

<sup>5</sup> UN General Assembly. *Universal Declaration of Human Rights*, Resolution 217 A(III), Article 9. 10 Dec. 1948. <<http://www.un.org/en/documents/udhr/>>.

<sup>6</sup> UN General Assembly. *Universal Declaration of Human Rights*, Resolution 217 A(III), Article 23. 10 Dec. 1948. <<http://www.un.org/en/documents/udhr/>>.

## Sponsorship

Even legal migrants face similar issues. Most countries use a *sponsorship program* which requires the entering migrant to obtain a work sponsor from the host country. A work sponsor is a person or company that employs a migrant worker and helps to get their paperwork in order. This system ensures that the migrant worker remains employed and can pay for their needs in the country.

Some forms of the sponsorship system, especially in the Middle East, allow a sponsor to hold on to the worker's passport. This restricts their freedom of movement. If the worker loses their job, they immediately lose their status as a legal immigrant. The worker's future is controlled by the sponsor in this particular type of system. Also without their passport, migrants cannot escape a terrible job, complain about an abusive boss, change jobs, or even return home.

Recently, the problem of domestic migrant workers has grown as well. Domestic migrant workers are hidden inside homes working as nannies, cooks, or housekeepers. They are often denied many rights and work under slave-like conditions. Whether legal or illegal, working at home or in a factory, migrant workers are often without the same basic rights as all other workers, as described in the Universal Declaration of Human Rights.

### CASE STUDY: FEMALE DOMESTIC MIGRANT WORKERS IN BAHRAIN

Domestic work is the largest category of employment for women migrants in Bahrain. Around 70,000 domestic migrant workers from Sri Lanka, Indonesia, India and the Philippines live in Bahrain to work. In reality, the number is higher, but a lot of workers don't have visas so they essentially disappear inside the home. These women work behind closed doors and without valid contracts. According to the 1976 Bahrain Labor Law for the Private Sector, domestic workers are exempt from labor laws because housework is private, so disputes should be settled internally or else the family's privacy is at risk. Due to this law, these women are treated almost like slaves. Some are sold fake visas at home and promised jobs that do not exist, making them vulnerable to trafficking. In the actual workplace, they are subjected to long work hours – sometimes 15-17 hours a day, 7 days a week – low salaries, and withheld payment of salaries.<sup>1</sup> Many face physical and sexual abuse from their employers and do not have the means to seek help.<sup>7</sup>

## CHALLENGES TO SOLVING THE PROBLEM

The problems of respecting the rights of migrant workers are not confined to one particular country. Almost all countries both receive and send migrant workers. In just ten years, the number of migrant workers around the world increased by 64 million. Such rapid growth in a short period of time makes the issue even more important today.

<sup>7</sup> "The Situation of Women Migrant Domestic Workers in Bahrain." Bahrain Center for Human Rights. Oct. 2008. <<http://www.bahrainrights.org/en/node/2490>>.

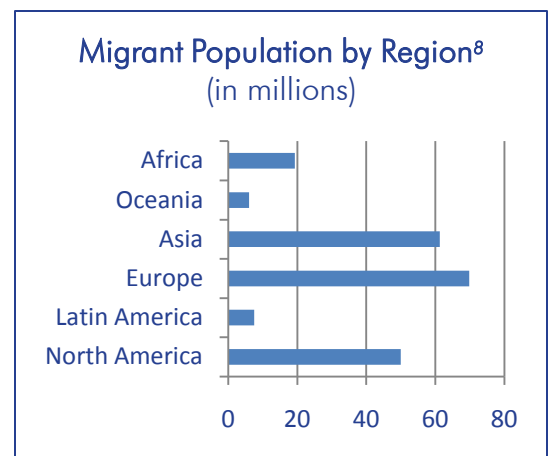
<sup>8</sup> "Regional and Country Figures." International Organization for Migration. 2008. <<http://www.iom.int/jahia/Jahia/about-migration/facts-and-figures/regional-and-country-figures>>.

Most attempts to address the issues associated with migrant workers have been on the national level. Some countries established strict immigration laws to prevent illegal migrant workers from entering all together. Sponsorship programs are intended to set up legal immigration and to make sure that migrant workers support themselves while in the host country. There have been few international efforts, however, to coordinate policies so that migrant workers don't get caught between differing laws in home and host countries.

### The Poverty Gap

Another factor is that migration for work, especially illegal migration, is hard to stop. The reasons that make migrants want to leave their homes or those that make another country seem appealing are very strong. There are contradictions that make leaving home for work hard to do legally.

There are huge differences between developed and developing countries today. People living in poor countries often look to other nations for employment when there are absolutely no job opportunities at home. At the same time, the economies of the more developed, wealthier countries need lots of cheap labor. These developed countries rely on migrant workers to take very little pay for low-skill jobs, such as gathering fruit and vegetables or assembling parts in a factory. The potential workers, however, face strict immigration policies that make it very hard to move to a country legally.



There is very little coordination between the national and international policies in many countries. Nationally, some countries place harsh restrictions on migrant workers to protect jobs and borders. Internationally, however, the same countries rely on migrant labor to be competitive and to boost their economy. This contradiction puts migrant workers in a difficult spot. It can also encourage illegal migration.

## PAST INTERNATIONAL ACTION

### THE INTERNATIONAL CONVENTION ON THE PROTECTION OF THE RIGHTS OF MIGRANT WORKERS AND THEIR FAMILIES (ICRMW)

The International Convention on the Protection of the Rights of All Migrant Workers and their Families (ICRMW) was adopted by the General Assembly in 1990 with 57 countries signed on. The Convention reaffirms that migrants deserve the *same basic human rights* in the Universal Declaration of Human Rights; it *does not* propose new human rights specifically for migrants.

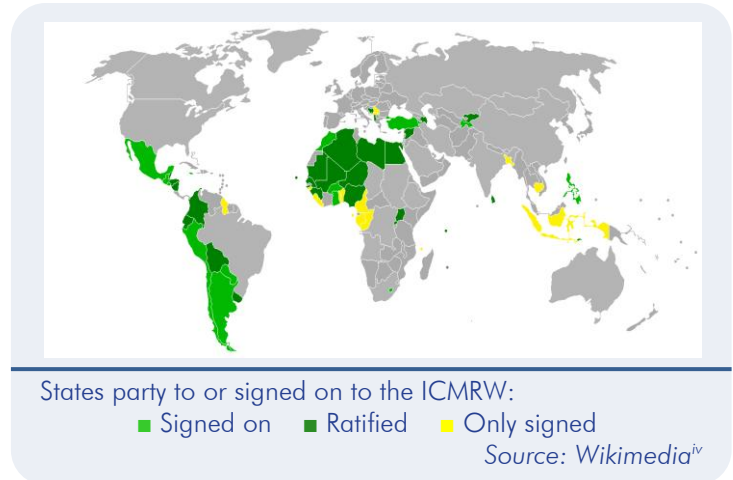
The ICRMW points out the difference between legal and illegal migrants by giving extra rights to legal workers. The document is set up this way because, though *all* migrant workers need to be



treated fairly, the ultimate goal is to discourage unsafe illegal migration. The document is criticized as being unhelpful because most of the countries signed on are the biggest migrant sending countries, but none of the biggest migrant receiving countries.

### THE INTERNATIONAL LABOR ORGANIZATION (ILO)

The International Labor Organization (ILO) has also made many efforts to curb abuse of migrant workers. They have contributed to raising awareness about the situation of migrants and providing information in their International Labor Migration fact database. The ILO has worked with governments, employers and trade unions to ensure proper treatment of migrants, but has failed to make any binding agreements.



## RECOMMENDATION FOR FORMULATING A RESOLUTION

There are complex social and economic factors that motivate people to migrate for work. While the ICRMW has been in place for seven years now, there is still a lot of work ahead. Delegates should focus on specific issues involved in each stage of migration, including the responsibilities of home, border, and destination countries. Delegates may also want to consider:

- The respect for human rights within a country;
- The economic importance of migrant workers;
- The stance of a nation on immigration;
- The motivations to migrate for work within a country.

### QUESTIONS TO CONSIDER

- How does your nation control migration?
- What are the trends of migration in your country?
- How do the citizens of your nation react to migrant workers?
- How do remittances affect your country?
- Is your country signed on to the ICRMW?

## BLOC POSITIONS

### EUROPE AND OTHER WESTERN COUNTRIES

The largest recipients of migrant workers are part of this bloc. None of these countries are signed on to the ICRMW. Many have big problems with illegal workers because they need many laborers but also have strict immigration laws.

### ASIA AND THE PACIFIC

This bloc only has a few countries signed on the ICRMW. Many workers from this bloc tend to migrate within Asia, not internationally. The trend of domestic migrant workers who work in people's homes is big in Asia.

### LATIN AMERICA & THE CARIBBEAN

This region has the largest number of migrants living abroad. These countries make up a majority of the nations signed on to the ICRMW. Many of these nations advocate for proper treatment of migrant workers.

### AFRICA AND THE MIDDLE EAST

Also one of the regions with a large migrant worker population, many of these countries are signatories to the ICRMW. Most workers migrate only within the Africa continent.

## RESEARCH SITES

### INTERNATIONAL LABOR ORGANIZATION: INTERNATIONAL MIGRATION PROGRAM

ILO has been active in advocating for decent work for all; check out this program which directly addresses migrant workers:

<http://www.ilo.org/public/english/protection/migrant/about/index.htm>

### MIGRATION INFORMATION SOURCE

This source provides information on migration trends. Explore the site for data on your country:

[www.migrationinformation.org](http://www.migrationinformation.org)

### INTERNATIONAL ORGANIZATION FOR MIGRATION

This is an intergovernmental organization promoting safe migration by researching migration trends:

[www.iom.int](http://www.iom.int)

## IMAGE CREDITS

<sup>i</sup> US Dept. Of State. Dec. 2005. <<http://www.state.gov/s/d/rm/rls/perfrpt/2006/html/76593.htm>>.

<sup>ii</sup> Neural Gourmet. <[http://archives.neuralgourmet.com/drupalfiles/images/ellis\\_island\\_leaving.gif.jpg](http://archives.neuralgourmet.com/drupalfiles/images/ellis_island_leaving.gif.jpg)>; Debivort. 25 Aug. 2007. <[http://commons.wikimedia.org/wiki/File:Mulberry\\_Street\\_NYC\\_c1900\\_LOC\\_3g04637u\\_edit.jpg](http://commons.wikimedia.org/wiki/File:Mulberry_Street_NYC_c1900_LOC_3g04637u_edit.jpg)>.

<sup>iii</sup> UN Treaty Collection. 27 Feb. 2009. <[http://en.wikipedia.org/wiki/File:Signataires\\_de\\_la\\_Convention\\_internationale\\_sur\\_la\\_protection\\_des\\_droits\\_de\\_tous\\_les\\_travailleurs\\_migrants\\_et\\_des\\_membres\\_de\\_leur\\_famille.PNG](http://en.wikipedia.org/wiki/File:Signataires_de_la_Convention_internationale_sur_la_protection_des_droits_de_tous_les_travailleurs_migrants_et_des_membres_de_leur_famille.PNG)>.